

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

WILLIAM ERNEST HOLLAND,

Petitioner,

v.

CIVIL ACTION NO. 5:05-cv-00573

MARY C. ANDERSON,

Respondent.

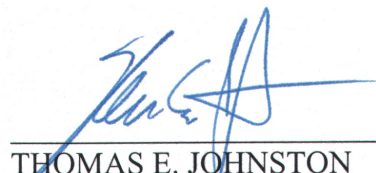
JUDGMENT ORDER

By Standing Order entered on July 21, 2004, and filed in this case on June 28, 2006, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation [PF&R]. Magistrate Judge VanDervort filed his PF&R on May 5, 2008 [Docket 6]. In that filing, the magistrate judge recommended that this Court deny Petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 and remove this matter from the Court's docket.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Here, objections to Magistrate Judge VanDervort's PF&R were due by May 22, 2008, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Petitioner has failed to object to the PF&R.

Having reviewed the Proposed Findings and Recommendation filed by Magistrate Judge VanDervort, the Court adopts the findings and recommendations contained therein. Accordingly, the Court hereby **DENIES** Petitioner's Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 and **DISMISSES** this case. The Clerk is directed to **REMOVE** this action from the Court's docket. The Clerk is further directed to mail a certified copy of this Judgment Order to all counsel of record, Petitioner, *pro se*, and a copy to Magistrate Judge VanDervort.

ENTER: May 27, 2008



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE